



of the crescent moon is in a region, then the people of the region that are close to it from every direction must fast based on this confirmation. Proximity is achieved by the unity of the single sunset region, with there being less than twenty-four farsakhs specifically between them. As for the people of the distant area, it is not obligatory for them to fast with this sighting due to the differing in the shared sunset regions.” 24 Farsakh is 120 km.

4. There are those amongst Shafiis who agree with the three Hanifis, Malikis and Hanbilis. Imam An-Nawawi النوي said in the Commentary of Muslim ( المنهاج في شرح صحيح مسلم بن ) وقال بعض أصحابنا نعم الرؤية في موضع جميع أهل الأرض (الحجاج) that “Some of our peers said that the correct sighting applies upon all the people of the earth.”

Imam Shaukani (الشوكاني) said in Nayl ul-Awthar (نيل الأوطار), examines the saying of Kuraib and states, “هو قول ابن عباس رضي الله عنهما، هكذا أمرنا رسول الله صلى الله عليه وسلم فهو لا يريد بقوله، هكذا أمرنا رسول الله صلى الله عليه وسلم أن عنده عن الرسول صلى الله عليه وسلم حديثاً خاصاً بهذه المسألة يدل، على عدم الصيام، بل مراده بذلك الأحاديث الأربعة بالصيام لرؤية الهلال، كما في الحديث الذي أخرجه الشيخان لا تصوموا حتى تروا الهلال، ولا تفتروا حتى تروه، فإن غمَّ عليكم فاقدروا له وقد سبق أن أشرت إلى أن هذا الحديث لا يختص بأهل ناحية على جهة الانفراد، بل هو خطاب لكل من يصلح له من المسلمين، فهذا اجتهاد صحابي، إذا كان هذا اجتهاداً” The argument in the saying of Kurayb is the saying of Ibn Abbas, may Allah (swt) be pleased with them both, ‘This is how the Messenger of Allah (saw) commanded us.’ By his saying that ‘This is how the Messenger of Allah (saw) commanded us,’ he does not mean that he has a hadith of Messenger (saw) specific to this issue which commands not fasting. Instead, what he referred to, by that are the ahadiths commanding fasting, when the Hilal crescent is sighted, as in the hadith narrated by the two sheikhs Bukhari and Muslims, “Do not fast until you see the crescent, and do not break your fast until you see it. If it is cloudy for you, then count (30 days) for it.” I (Imam Shaukani) have previously indicated that this hadith is not specific to the people of a particular region. Instead, it is a speech to every Muslim who is suitable for it. So this statement, ‘This is how the Messenger of Allah (saw) commanded us’ is an ijtiḥad of a Companion, if it is an ijtiḥad.”

5. It is sad that the matter of sighting of the moon has become controversial. It is a symptom of weak understanding of our Deen, which in turn is through the absence of the Khilafah, which established a strong Islamic education system, for centuries.

The matter has been made controversial by the current rulers, who seek to divide the Islamic Ummah. They want to prevent the unity of the Islamic Ummah, which is the greatest fear of their masters in the West. So they raise matters which do not even have a semblance of an evidence to undermine a unified sighting of the Ummah. They strive for justifications to build nationalism and division amongst Muslims. Regretfully, they are supported in this by some of the Ulema who sold their Deen for a cheap price. This is in addition to those Ulema who are effected by the corrupt reality of nation states, which is caused by the intellectual decline, that also manifested in the weakness in jurisprudential knowledge.

The solution is not to dispense with Ulema as a pillar of the Islamic society. Instead, it is to strengthen them, by encouraging the most able of our sons and daughters to strive in seeking knowledge of our Deen. What is critical in our age is tajdeed of our Deen, which is renewal. Tajdeed is not islaah (reformation). The form of Islam is in the perfect form, and does not need reformation. What is needed is renewal of our understanding it. That depends on improving our Arabic, which is the language of our Deen. It depends on us scrutinizing the Noble Quran and the Prophetic Sunnah. It means according the due respect to the classical Ulema who spent decades in understanding the meanings that were understood by the Companions (ra), the best of all generations. And it mandates the restoration of the Islamic Khilafah state which generated the environment within which the best of the Ulema arose, giants upon whose shoulders we stand.

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